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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,711	12/18/2000	Alejandro Wiechers	10001309-1	9476
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HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80527-2400			EXAMINER LETT, THOMAS J	
			ART UNIT 2626	PAPER NUMBER 3

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/749,711

Applicant(s)

SMITH, DETLEV F.

Examiner

Thomas J. Lett

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1,2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Al-Kazily et al (US Patent 6,621,589 B1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

With respect to claim 1, Al-Kazily et al discloses the network system 100 of FIG. 1 which includes a print server 110(network addressable device), one or more networked devices illustrated as printers 106 (col 3, lines 63-65), which reads on (a) a global printer array linked with the communications network; and the job manager 204(assessor) includes logic(*computer program code*) which provides print queue management as well as print job processing (col 7,

lines 27-29) and the job manager 204 determines and selects, as a function of user input, the print resource that will best meet the user-specified requirements for the print job 220 (col 4, line 67 - col 5, line 2), which reads on (b) an assessor linked with the global printer array and the network user, the assessor implementing a computer program code for selecting a localized printer from the global printer array.

With respect to claim 2, Al-Kazily et al discloses that the job manager 204 determines and selects, as a function of user input, the print resource that will best meet the user-specified requirements for the print job 220 (col 4, line 67 - col 5, line 2). This user information or parameters may be received via a communications network from client terminal 102 as shown in Fig. 1 and Fig. 2, which reads on the assessor receives network user parameters from the network user through the communications network.

With respect to claim 4, Al-Kazily et al discloses that the print server 110(network addressable device) includes an attribute manager 206 that includes a database 208 on a storage media (*repository*) wherein resource attribute files associated with the print resources installed on the network are stored and maintained (col 5, lines 4-8), which reads on the network addressable device further includes a repository for storing the information used for printing.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 5-7, 9-11, and 15 are rejected under 35 U.S.C. 102(a) as being anticipated by Salahshour (EP 656581 A1).

With respect to claim 5, Salahshour discloses a method in which software programming is used to enable the method. Salahshour discloses:

a list is provided to a user, which uses predetermined criteria, at a workstation. The workstation user may set up alternate ranking criteria if the user so desires (col 8, lines 6-7), which reads on (a) a first computer program code for receiving network user parameters via a network addressable device;

the System Printer Table provides information regarding the printers on the network. The System Printer Table is a database that is maintained and updated by the system administrator (col 6, lines 7-10), which reads on (b) a second computer program code for linking the network addressable device with a global printer array;

The workstation then receives a printer selection from the workstation user by way of an input device, step 37. The output of the job is sent to the printer selected in step 37, step 39 (col 4, lines 37-40), which reads on (c) a third computer program code for selecting a localized printer from the global printer array;

the list ranks the printers in accordance with predetermined criteria, such as availability of the printers (col 2, lines 29-32), which reads on (d) a fourth computer program code for determining the availability of the localized printer with respect to the network user parameters; and

the host computer 25 may also be coupled to a storage device 29 which may serve as a remote storage for the workstations 13 and to a printer 23E (col 3, lines 16-19), which reads on (e) a fifth computer program code for spooling the localized printer.

With respect to claim 6, Salahshour discloses the method shown in the flow chart of Fig. 2 determines and displays a list of optimal printers for rapid completion of a printing job at or near a specified physical location (col 4, lines 8-11), which reads on (a) a computer program code for establishing a localized zone of printer candidates; and

the displayed list of printers enables a workstation user to select a printer on the network that will complete printing the output of the job rapidly near a preferred physical location (col 4, lines 11-15), which reads on (b) a computer program code for designating the printer candidate at a minimum distance from the localized zone to the network user as the localized printer.

With respect to claim 6, Salahshour discloses the Job Printer Table is compiled according to a ranking hierarchy so that the printers of the LAN are listed in the Job Printers Table in a preferred order of printing priority. The topmost entry is the preferred printer (col 7, lines 22-26), which reads on the fourth computer program code includes a computer program code for determining whether the localized printer satisfies printer parameters of the network user.

With respect to claim 9, Salahshour discloses that each entry of the Job Printer Table includes: an estimated time required for a printer to print a queue of

jobs awaiting printing at that printer; an estimated time until the output of the job at the workstation is printed at that printer (col 7, lines 17-21), which reads on the fourth computer program code further includes a computer program code for determining time expectations of the network user.

With respect to claim 10, Salahshour discloses the list ranks the printers in accordance with predetermined criteria, such as availability of the printers (col 2, lines 29-32), which reads on the fifth computer program code includes a computer program code for displaying the status of the localized printer.

With respect to claim 11, Salahshour discloses:

the criteria for determining the rank order of the printers to produce a list of optimal printers is set by the system administrator by default, however, the workstation user may set up alternate ranking criteria if the user so desires (col 8, lines 3-7), which reads on (a) receiving network user parameters via a network addressable device;

the user may make an intelligent choice of which printer on the list to utilize. The list ranks the printers in accordance with predetermined criteria, such as closeness of the printers to the user's location (col 2, lines 27-31 and see Fig. 2), which reads on (b) selecting a localized printer from a global printer array of the network addressable device with respect to the network user parameters;

the list ranks the printers in accordance with predetermined criteria, such as availability of the printers (col 2, lines 29-32), which reads on (c) determining availability of the selected localized printer; and

see function 39 of Fig. 2, which reads on (d) engaging the localized printer.

With respect to claim 15, Salahshour discloses:

a method that determines and displays a list of optimal printers for rapid completion of a printing job at or near a specified physical location (col 4, lines 9-11), which reads on (a) establishing a localized zone of printer candidates; and

the displayed list of printers enables a workstation user to select a printer on the network that will complete printing the output of the job rapidly near a preferred physical location (col 4, lines 11-15), (b) designating a printer candidate with a minimum distance from the localized zone to the network user as the localized printer.

With respect to claim 16, Salahshour discloses the Job Printer Table is compiled according to a ranking hierarchy so that the printers of the LAN are listed in the Job Printers Table in a preferred order of printing priority. The topmost entry is the preferred printer (col 7, lines 22-26), which reads on the step of selecting a localized printer includes the step of determining whether the localized printer satisfies printer parameters of the network user.

With respect to claim 17, Salahshour discloses the list ranks the printers in accordance with predetermined criteria, such as availability of the printers (col 2, lines 29-32), which reads on the step of displaying status of the localized printer.

With respect to claim 18, Salahshour discloses that each entry of the Job Printer Table includes: an estimated time required for a printer to print a queue of jobs awaiting printing at that printer; an estimated time until the output of the job

at the workstation is printed at that printer (col 7, lines 17-21), which reads on the step of selecting a localized printer includes the step of determining time expectations associated with the localized printer.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Al-Kazily et al (US Patent 6,621,589 B1) in view of Salahshour (EP 656581 A1). Al-Kazily et al discloses the network system 100 of FIG. 1 which includes a print server 110(network addressable device), one or more networked devices illustrated as printers 106 (col 3, lines 63-65), which reads on (a) a global printer array linked with the communications network; and

the job manager 204(assessor) includes logic(*computer program code*) which provides print queue management as well as print job processing (col 7, lines 27-29) and the job manager 204 determines and selects, as a function of user input, the print resource that will best meet the user-specified requirements for the print job 220 (col 4, line 67 - col 5, line 2), which reads on (b) an assessor linked with the global printer array and the network user, the assessor implementing a computer program code for selecting a localized printer from the global printer array.

Al-Kazily et al does not disclose the assessor establishes a localized zone of printer candidates, the localized printer selected from the localized zone.

Salahshour discloses a method that determines and displays a list of optimal printers for rapid completion of a printing job at or near a specified physical location (col 4, lines 9-11). Al-Kazily et al and Salahshour are analogous art because they are from the similar problem solving area of network printing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of Salahshour to Al-Kazily et al's job manager to execute logic necessary to establish a local zone of printers. The motivation for doing so would be to group printer candidates that are in close proximity to the user.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salahshour (EP 656581 A1) in view of Ota et al (JP 2000347827 A). Salahshour discloses the criteria for determining the rank order of the printers to produce a list of optimal printers is set by the system administrator by default, however, the workstation user may set up alternate ranking criteria if the user so desires (col 8, lines 3-7), which reads on (a) receiving network user parameters via a network addressable device;

the user may make an intelligent choice of which printer on the list to utilize. The list ranks the printers in accordance with predetermined criteria, such as closeness of the printers to the user's location (col 2, lines 27-31 and see Fig. 2), which reads on (b) selecting a localized printer from a global printer array of the network addressable device with respect to the network user parameters;

the list ranks the printers in accordance with predetermined criteria, such as availability of the printers (col 2, lines 29-32), which reads on (c) determining availability of the selected localized printer; and

see function 39 of Fig. 2, which reads on (d) engaging the localized printer.. Salahshour does not disclose expressly the fourth computer program code further includes a computer program code for determining cost expectations of the network user. Ota et al discloses the printer selecting arrangement in which exact cost calculation is possible, the printer selection approach, and an information storage medium are offered (paragraph 11). Salahshour and Ota et al are analogous art because they are from the similar problem solving area of network printing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the cost estimating feature of Ota et al to the computer program of Salahshour in order to obtain a method of calculating printing cost. The motivation for doing so would be to estimate printing costs and communicate the costs to the user.

5. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salahshour (EP 656581 A1) in view of Al-Kazily et al (US Patent 6,621,589 B1).

Salahshour discloses:

the criteria for determining the rank order of the printers to produce a list of optimal printers is set by the system administrator by default, however, the workstation user may set up alternate ranking criteria if the user so desires (col 8,

lines 3-7), which reads on (a) receiving network user parameters via a network addressable device;

the user may make an intelligent choice of which printer on the list to utilize. The list ranks the printers in accordance with predetermined criteria, such as closeness of the printers to the user's location (col 2, lines 27-31 and see Fig. 2), which reads on (b) selecting a localized printer from a global printer array of the network addressable device with respect to the network user parameters;

the list ranks the printers in accordance with predetermined criteria, such as availability of the printers (col 2, lines 29-32), which reads on (c) determining availability of the selected localized printer; and

see function 39 of Fig. 2, which reads on (d) engaging the localized printer.

Salahshour does not disclose the step of receiving network user parameters includes the step of receiving network user parameters from an Internet communications network. Al-Kazily et al discloses that the attribute manager registers a set of job processing attributes for each print resource servicing the print queue and provides a list of available print job attributes to each client computer on the network (col 2, lines 44-50) and the data communications network 108 can include one or more of: the Internet, PSTN networks, local area networks (LANs), and private wide area networks (WANs) (col 4, lines 15-18). Salahshour and Al-Kazily et al are analogous art because they are from the similar problem solving area of intelligent network printing. At the time of the invention, it would have been obvious to a person of ordinary skill

in the art to add the feature of Al-Kazily et al to Salahshour in order to obtain a method of transferring parameters over a specific network. The motivation for doing so would be to use the internet as a means of transferring parameters to network addressable devices.

With respect to claim 13, Salahshour does not disclose the step of receiving network user parameters includes the step of receiving network user parameters from a browser. Al-Kazily et al discloses that the attribute manager registers a set of job processing attributes for each print resource servicing the print queue and provides a list of available print job attributes to each client computer on the network (col 2, lines 44-50) and the data communications network 108 can include one or more of: the Internet, PSTN networks, local area networks (LANs), and private wide area networks (WANs) (col 4, lines 15-18). Al-Kazily et al further discloses communication between client computers 102, 104 and printers 106 can be via any of a variety of conventional communication protocols (col 4, lines 18-20). This could also include a browser for graphical communication between network addressable devices. Salahshour and Al-Kazily et al are analogous art because they are from the similar problem solving area of intelligent network printing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of Al-Kazily et al to Salahshour in order to obtain a method of transferring parameters over a specific network using a browser. The motivation for doing so would be to use the internet as a means of transferring parameters to network addressable devices.

With respect to claim 14, Salahshour does not disclose the step of receiving network user parameters includes the step of receiving network user parameters from an intranet communications network. Al-Kazily et al discloses the data communications network 108 can include one or more of: the Internet, PSTN networks, local area networks (LANs), and private wide area networks (WANs) (col 4, lines 15-18). A local area network would be inclusive of an intranet. Salahshour and Al-Kazily et al are analogous art because they are from the similar problem solving area of intelligent network printing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of Al-Kazily et al to Salahshour in order to obtain a method of transferring parameters over a specific network. The motivation for doing so would be to use the internet as a means of transferring parameters to network addressable devices.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salahshour (EP 656581 A1) in view of Ota et al (JP 2000347827 A). Salahshour discloses the criteria for determining the rank order of the printers to produce a list of optimal printers is set by the system administrator by default, however, the workstation user may set up alternate ranking criteria if the user so desires (col 8, lines 3-7), which reads on (a) receiving network user parameters via a network addressable device;

the user may make an intelligent choice of which printer on the list to utilize. The list ranks the printers in accordance with predetermined criteria, such as closeness of the printers to the user's location (col 2, lines 27-31 and see Fig.

2), which reads on (b) selecting a localized printer from a global printer array of the network addressable device with respect to the network user parameters;

the list ranks the printers in accordance with predetermined criteria, such as availability of the printers (col 2, lines 29-32), which reads on (c) determining availability of the selected localized printer; and

see function 39 of Fig. 2, which reads on (d) engaging the localized printer.. Salahshour does not disclose expressly the step of selecting a localized printer includes the step of determining costs associated with the localized printer. Ota et al discloses the printer selecting arrangement in which exact cost calculation is possible, the printer selection approach, and an information storage medium are offered (paragraph 11). Salahshour and Ota et al are analogous art because they are from the similar problem solving area of network printing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the cost estimating feature of Ota et al to the computer program of Salahshour in order to obtain a method of calculating printing cost. The motivation for doing so would be to estimate printing costs and communicate the costs to the user.

7. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salahshour (EP 656581 A1) in view of Jeyachandran et al (US Patent 6,567,176 B1). Salahshour discloses:

the criteria for determining the rank order of the printers to produce a list of optimal printers is set by the system administrator by default, however, the workstation user may set up alternate ranking criteria if the user so desires (col 8,

lines 3-7), which reads on (a) receiving network user parameters via a network addressable device;

the user may make an intelligent choice of which printer on the list to utilize. The list ranks the printers in accordance with predetermined criteria, such as closeness of the printers to the user's location (col 2, lines 27-31 and see Fig. 2), which reads on (b) selecting a localized printer from a global printer array of the network addressable device with respect to the network user parameters;

the list ranks the printers in accordance with predetermined criteria, such as availability of the printers (col 2, lines 29-32), which reads on (c) determining availability of the selected localized printer; and

see function 39 of Fig. 2, which reads on (d) engaging the localized printer.

Salahshour does not disclose the step of selecting a localized printer includes the step of asking whether the network user wishes to wait if the localized printer is unavailable. Jeyachandran et al discloses that a plan is devised to query a user concerning whether the job can wait until the color printer is not busy (col 26, lines 9-11). Salahshour and Jeyachandran et al are analogous art because they are from the similar problem solving area of network printing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the query feature of Jeyachandran et al to the computer logic of Salahshour in order to obtain a print-action option. The motivation for doing so would be to provide an alternate course of action for the print system user.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA Sixth Floor (Receptionist).

TJL

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MARK WALLERSON
PRIMARY EXAMINER